

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MDL No. 01-1396 (JRT/FLN)

IN RE: ST. JUDE MEDICAL, INC.
SILZONE HEART VALVES
PRODUCTS LIABILITY LITIGATION

**ORDER APPOINTING SPECIAL
MASTER TO PRESIDE OVER THE
DEPOSITION OF JAMES LADNER**

J. Gordon Rudd, Jr. and Charles S. Zimmerman, ZIMMERMAN REED, P.L.L.P., 651 Nicollet Mall, Suite 501, Minneapolis, MN 55402; Steven E. Angstreich, Michael Coren, and Carolyn Lindheim, LEVY, ANGSTREICH, FINNEY, BALDANTE, RUBENSTEIN & COREN, P.C., Woodcrest Pavilion, Suite 100, 10 Melrose Avenue, Cherry Hill, NJ 08003; James T. Capretz, CAPRETZ & ASSOC., 5000 Birch Street, Suite 2500, West Tower, Newport Beach, CA 92660; and Joe D. Jacobson, GREEN, SCHAAF & JACOBSON, P.C., 7733 Forsyth, Suite 700, St. Louis, MO 63105; Patrick J. Murphy, BOCHANIS MURPHY LEGAL ASSOCIATES, 844 East Sahara Avenue, Las Vegas, NV 89104, for plaintiffs.

Tracy J. Van Steenburgh, HALLELAND, LEWIS, NILAN, SIPKINS & JOHNSON, 600 Pillsbury Center South, 220 So. Sixth Street, Minneapolis, MN 55402; David E. Stanley and Steven M. Kohn, REED SMITH CROSBY HEAFEY LLP, 355 South Grand Ave., Suite 2900, Los Angeles, CA 90071; Steven M. Kohn, REED SMITH CROSBY HEAFEY LLP, 1999 Harrison Street, Suite 2600, Oakland, CA 94612, for defendant.

On February 13, 2003, the Court granted plaintiff's motion to compel the deposition of James Ladner. The Court specified that the duration of this deposition shall not exceed three hours. Given the contentious nature of Mr. Ladner's previous deposition, the Court also ordered that the second deposition shall be supervised by a Special Master appointed by the Court.

FILED _____
RICHARD D. SLETTEN, CLERK
JUDGMENT ENTD. _____
DEPUTY CLERK _____

The parties have agreed to the appointment of Richard B. Solum as Special Master for this deposition, and the Court now appoints Mr. Solum pursuant to Rule 53(a) of the Federal Rules of Civil Procedure. Special Master Solum shall have the power to regulate the conduct of the deposition, and shall rule on all objections that may arise during the deposition. All of the rulings made by Special Master Solum shall be final for the purpose of the deposition; the parties will have no interlocutory recourse to this Court during the deposition.

The Special Master shall keep a record of all rulings he makes during the deposition. When the deposition is concluded he shall compile these rulings in a report pursuant to Rule 53(e)(1) of the Federal Rules of Civil Procedure. The Special Master shall file such report with the Clerk and serve the report upon the parties pursuant to Rule 53(e)(1).

Within 10 days after being served with notice of the filing of the report, either party may serve written objections to the report upon the other party. The party opposing an objection shall have 10 days from the date of being served with the objections to file a response. A party's written objections may not exceed 15 pages in total length. A party's response may not exceed 15 pages in total length. Objections shall be prepared as prescribed in Rule 53(e)(2) of the Federal Rules of Civil Procedure. The Court will then rule upon any objections pursuant to Rule 53(e)(2).

DATED: April 4, 2003
at Minneapolis, Minnesota.

JOHN R. TUNHEIM
United States District Judge